

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN THE MATTER OF

MAYRA SOLIS,

DEBTOR

IN PROCEEDINGS
UNDER CHAPTER 7

CASE NO. 19-08108

JUDGE: Goldgar,

NOTICE OF MOTION

Notified via Electronic Filing

U.S. Trustee, 219 S Dearborn St, Room 873, Chicago, IL 60604

John E Gierum, Gierum & Mantas, 2700 S. River Road, Suite 308, Des Plaines, IL 60018

David M Siegel, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090

Notified via US Postal Service

Mayra Solis, 2311 Huron Terrace, Waukegan, IL 60087

Please take notice that on the 3rd day of May, 2019, at the hour of 1:00 p.m. or as soon thereafter as I may be heard, I shall appear before the Honorable Judge A. Benjamin Goldgar, at the United States Bankruptcy Court, 301 S. Greenleaf Avenue, Courtroom B, Park City Branch Court, Park City, IL 60085 or before any other Bankruptcy Judge who may be presiding in his/her place and stead and shall then and there present the accompanying motion. At that time and place you may attend if you so choose.

AFFIDAVIT OF SERVICE

The undersigned hereby certifies that he/she caused a true and correct copy of the above and foregoing document to be sent to the Debtor at the address listed below. Said copy was placed in an envelope addressed as listed below and placed in the U.S. Mail on April 18, 2019, with first class postage prepaid. All other parties entitled to notice received such notice electronically, through the office of the Clerk of the Court.

Respectfully Submitted,

/s/ Michael N. Burke

Michael N. Burke

Mike Kalkowski ARDC #6185654
Richard B. Aronow ARDC# 03123969
Michael N. Burke ARDC#6291435
Shapiro Kreisman & Associates, LLC
2121 Waukegan Road, Suite 301
Bannockburn, IL 60015
(847) 291-1717
Attorneys for Movant
19-090420

The firm of Shapiro Kreisman & Associates, LLC is a debt collector. This is an attempt to collect a debt. Any information may be used for that purpose. If your personal liability for this debt has been extinguished, discharged in bankruptcy or if a court order prohibits collecting this debt from you personally, then this is an attempt to enforce the Movant's rights with respect to the property addressed herein, and it is not an attempt to collect the debt from you personally.

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MOTION FOR RELIEF FROM THE AUTOMATIC STAY

NOW COMES the Movant, MidFirst Bank, by and through its attorneys, Shapiro Kreisman & Associates, LLC, and moves this Court for the entry of an order modifying the automatic stay, pursuant to 11 USC § 362(d) and in support thereof states as follows:

1. That the Debtor filed a Petition for relief under Chapter 7 of the U.S. Bankruptcy Code on March 22, 2019.
2. That the Movant is a Creditor of the Debtor, pursuant to a note secured by a mortgage on the real property commonly known as: 2311 Huron Ter, Waukegan, IL 60087.
3. That the Debtor is in default under the terms of said note and mortgage for failure to make the installment payments due February 1, 2019, in the amount of \$797.69 and each month thereafter. That default does not include attorneys' fees, costs of collection and other advances and it does not constitute reinstatement.
4. That the indebtedness due Movant as of April 18, 2019, is in excess of \$93,000.00. Said indebtedness is currently due Movant after applying all offsets and credits due Debtor.

5. That the Debtor's schedules suggest that the fair market value of said property is approximately \$101,582.00. Debtor's schedules suggest that Debtor is claiming a \$15,000.00 exemption for this property.
6. That the Movant adopts the facts set forth in the Statement of Default as additional allegations in support of this motion.
7. That the Movant lacks adequate protection in that there is little or no equity in the premises and that the Debtor is not making payments to the Movant as provided by the mortgage and note.
8. That the subject property is not necessary for an effective reorganization and the Movant is entitled to relief pursuant to 11 USC § 362(d).
9. That the Movant wishes to be reimbursed for the costs and attorneys' fees of filing this motion.
10. That, for the reasons set forth above, it would be inequitable to delay the enforcement of any order modifying the automatic stay with respect to the Movant.

WHEREFORE, MidFirst Bank prays that this Court enter an order modifying the automatic stay to allow said creditor to foreclose the mortgage on the property known as: 2311 Huron Ter, Waukegan, IL 60087 or to permit MidFirst Bank to exercise all rights and remedies with respect to the property pursuant to the note, security instrument, and applicable non-bankruptcy law including loss mitigation and foreclosure related

activities; and that Federal Bankruptcy Rule 4001(a)(3) be waived.

Respectfully submitted,

/s/ Michael N. Burke
Attorney for MidFirst Bank

Mike Kalkowski ARDC #6185654
Richard B. Aronow ARDC# 03123969
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